IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITE	D STATES OF AMERICA,) 0.466P452					
	Plaintiff,) 8:16CR152)					
	vs.)) DETENTION ORDER					
AMAN	DA M. KARSTENS,))					
	Defendant.	<i>)</i>)					
Aft Ac	Order For Detention After conducting a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act on April 26, 2016, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).						
Th	 Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. 						
Th coi	ntained in the Pretrial Services Report (the offense charged: by to distribute methamphetamine (Count I) in 846 and the distribution of methamphetamine f21 U.S.C. § 841(a)(1) both carry a maximum ears imprisonment. by of violence. a narcotic drug. a large amount of controlled substances, to wit: against the defendant is high. by of the defendant including: and the the defendant will appear. and has no family ties in the area. and has no substantial financial resources. at is not a long time resident of the community. and the defendant: and the defendant prior criminal record. and the defendant prior criminal record.					

DETENTION ORDER - Page 2

		(b)	At the ti		of the current arrest, the defendant was on: bation
				Rel sen	ease pending trial, sentence, appeal or completion of tence.
		(c)	Other F	The	rs: e defendant is an illegal alien and is subject to contation.
				The	e defendant is a legal alien and will be subject to
				The	e Bureau of Immigration and Custom Enforcement (BICE) placed a detainer with the U.S. Marshal.
<u>X</u>	(4)	are as	s follows	s: Th	ousness of the danger posed by the defendant's release ne nature of the charges in the Indictment and the ince abuse history.
Χ	(5)	Rebut	ttable Pr	resu	<u>mptions</u>
		In dete	ermining	that	the defendant should be detained, the Court also relied
					uttable presumption(s) contained in 18 U.S.C. § 3142(e) ds the defendant has not rebutted:
	Χ	(a)			dition or combination of conditions will reasonably assure
					nce of the defendant as required and the safety of any and the community because the Court finds that the
			crime in		
					A crime of violence; or
				(2)	An offense for which the maximum penalty is life imprisonment or death; or
			<u>X</u>	(3)	A controlled substance violation which has a maximum penalty of 10 years or more; or
				(4)	A felony after the defendant had been convicted of two
					or more prior offenses described in (1) through (3) above, <u>and</u> the defendant has a prior conviction for one
					of the crimes mentioned in (1) through (3) above which
					is less than five years old and which was committed
	Y	(h)	Thatno	cond	while the defendant was on pretrial release. dition or combination of conditions will reasonably assure
	<u>X</u>	(b)			nce of the defendant as required and the safety of the
					because the Court finds that there is probable cause to
			believe:		- 1 - 4 - 1 - 4 - 1 - 4 - 4 - 4 - 4 - 4 -
			<u>X</u>	(1)	That the defendant has committed a controlled substance violation which has a maximum penalty of 10 years or more.
				(2)	That the defendant has committed an offense under 18
					U.S.C. § 924(c) (uses or carries a firearm during and in
					relation to any crime of violence, including a crime of violence, which provides for an enhanced punishment if
					committed by the use of a deadly or dangerous weapon
					or device).

DETENTION ORDER - Page 3

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.
- 4. Pretrial Services shall obtain a substance abuse evaluation and provide a copy to the court and counsel. Thereafter, any party may file a motion to review detention.

DATED: April 26, 2016.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge